

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PERKINS COIE LLP,

Plaintiff-Appellee,

v.

**U.S. DEPARTMENT OF JUSTICE,
et al.,**

Defendants-Appellants.

Civil Action No. 25-5241

**MOTION FOR A STAY OF THE COURT’S ORDER OF SEPTEMBER 23, 2025,
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the Court’s Order regarding potential consolidation (Document 2136401 filed in USCA Case #25-5241) in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies, including the federal Defendants. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the federal Defendants are prohibited from working, even on a voluntary basis, except in

very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the Court’s Order regarding potential consolidation until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations – i.e., each deadline would be extended by the total number of days of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that they take no position on this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the Court’s Order regarding potential consolidation in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: October 6, 2025
Washington, D.C.

Respectfully submitted,

/s/ Richard Lawson

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CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2025, I electronically filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the appellate CM/ECF system.

s/ Richard Lawson

Richard Lawson